



Paper 5

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OFFICE OF PETITIONS

In re Application of
Atsushi Hozumi et al.
Application No. 09/955,074
Filed: September 19, 2001
Attorney Docket No. 214010US0

DECISION GRANTING PETITION

This is a decision on the petition filed December 21, 2001, under 37 CFR 1.182, which is treated under 37 CFR 1.53, in response to the "Notice of Omitted Items" mailed October 25, 2001.

The instant application was filed September 19, 2001 and a filing date was accorded. However, according to the Notice of Omitted Items, the application papers submitted did not include figure 3.

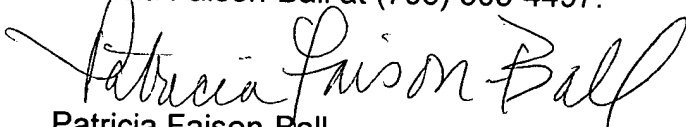
Petitioner asserts, in essence, that three sheets of drawings (figures 1-3) were among the papers filed on September 19, 2001, and submits a postcard receipt in evidence thereof. The postcard receipt identifies the application and acknowledges, inter alia, the number of drawing sheets to be 3 and bears a United States Patent and Trademark Office date-stamp of September 19, 2001. Further, the postcard receipt lacks any notation of non-receipt of any item listed.

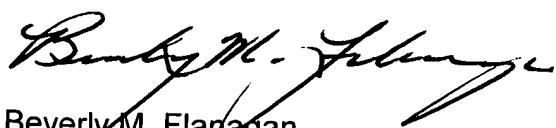
In view of the foregoing, the petition is **Granted**.

Given the basis for granting the petition, no petition fee is due and therein, petitioner's deposit account no. 15-0030 will be credited in the amount of \$130.00.

This application is being forwarded to the Office of Initial Patent Examination (OIPE) for further processing, using the application papers received in the Office on September 19, 2001 and the three sheets of drawings (figures 1-3) resubmitted on petition.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Patricia Faison-Ball at (703) 305-4497.


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